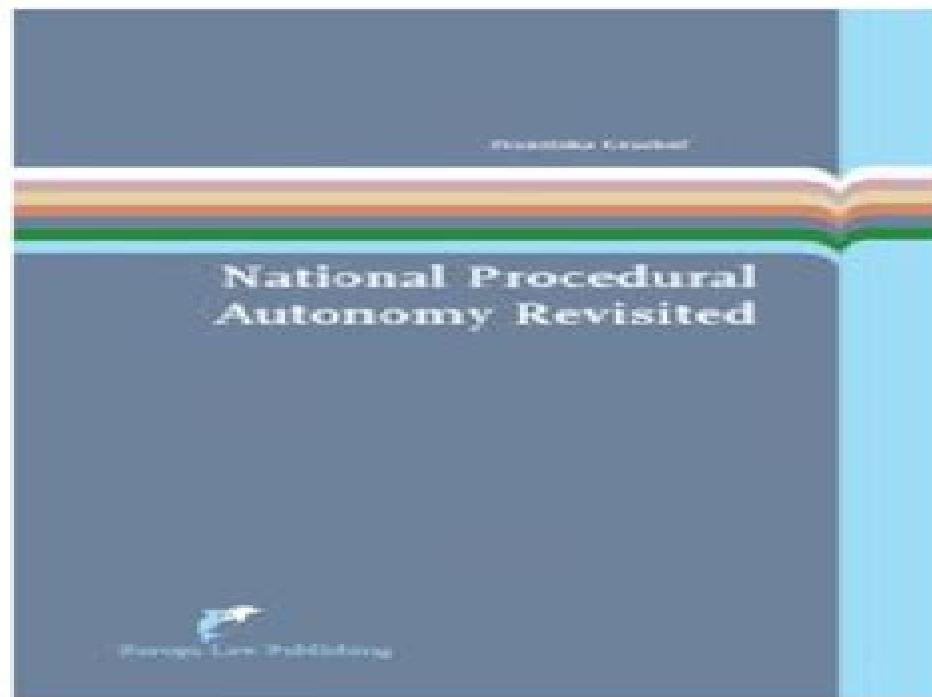




Nice National Procedural Autonomy Revisited Administrative

Georg Schwarzenberger



Nice National Procedural Autonomy Revisited Administrative:

Good Administration and the Council of Europe Ulrich Stelkens, Agnė Andrijauskaitė, 2020-09-11 Good Administration and the Council of Europe Law Principles and Effectiveness examines the existence and effectiveness of written and unwritten standards of good administration developed within the framework of the Council of Europe CoE and in the case law of the European Court of Human Rights These standards called pan European general principles of good administration cover the entire range of general organizational procedural and substantive legal institutions meant to ensure a democratically legitimized open and transparent administration respecting the rule of law They are about the limiting function of administrative law its function to protect individuals from arbitrary power to legitimize administrative action and to combat corruption This book analyses the sources and functions of the pan European general principles of good administration and seeks to uncover how deeply they are rooted in the domestic legal systems of the CoE Member States It comprises 28 country reports dedicated to an in depth exploration of the impact of these standards on the national legal systems of the Member States written by respective experts on these systems It argues that the pan European general principles of good administration lead to a certain harmonization of the legal orders of the Member States with regard to the limiting function of administrative law despite the many fundamental differences between their administrative and legal systems It comes to the further conclusion that the pan European general principles of good administration can be considered as a concretization of the founding values of the CoE and describes the administrative law obligations a Member State entered into when joining the CoE

Diversity of Enforcement Titles in the EU Vesna Rijavec, Wendy Kennett, Tomaž Keresteš, Tjaša Ivanc, 2023-12-30 This book examines the diversity of enforcement titles in cross border debt collection focusing on the types structure contents and effects of enforcement titles It offers a comprehensive overview of judgments court settlements and authentic instruments from a variety of EU Member States It primarily employs the comparative legal method to draw conclusions on commonalities and differences as well as prospects for future approximation of laws The premise of the research is rooted in the finding that national authorities of EU Member States continue to treat enforcement titles from other Member States with reservations and mistrust despite being committed to the principle of mutual trust The book identifies the issues of mistrust stemming from the diversity of enforcement titles The research is based on a rich database of national reports compiled during the course of several large scale EU Justice Projects Divided into five parts the book offers first some general considerations and presents attempts at a systemisation of enforcement titles The following parts are then devoted to more specialised approaches toward the different types of enforcement titles However the connecting line between all parts of the book are the considerations of cross border enforcement in the EU and in a limited manner with third States Herein research also addresses critical factors regarding the free movement of judgments in the EU including those of lis pendens and related actions This book provides a valuable contribution to the Theory of European Civil Procedure

Since it is based on a comparative approach and employs both empirical and doctrinal viewpoints it should also greatly benefit practitioners involved in cross border dispute resolution Overall the findings should be of interest to a broad audience including policymakers judges practitioners and scholars

EU Administrative Law Paul P. Craig, 2018 Part I Administration and Law 1 History and Typology 2 Crisis Reform and Constitutionalization 3 Centralized Management 4 Shared Management 5 Comitology 6 Agencies 7 Open Method of Coordination 8 Social Partners Part II Law and Administration 9 Foundations 10 Courts 11 Access

The Law of the European Union and the European Communities Pieter Jan Kuijper, Fabian Amtenbrink, Deirdre Curtin, Bruno De Witte, Alison McDonnell, 2018-09-28 The Law of the European Union is a complete reference work on all aspects of the law of the European Union including the institutional framework the Internal Market Economic and Monetary Union and external policy and action Completely revised and updated with many newly written chapters this fifth edition of the most thorough resource in its field provides the most comprehensive and systematic account available of the law of the European Union EU Written by a new team of experts in their respective areas of European law its coverage incorporates and embraces many current controversial and emerging issues and provides detailed attention to historical development and legislative history of EU law Topics that are constantly debated in European legal analysis and practice are touched on in ways that are both fundamental and enlightening including the following powers and functions of the EU law institutions and relationship among them the principles of equality loyalty subsidiarity and proportionality free movement of persons goods services and capital mechanisms of constitutional change treaty revisions accession treaties withdrawal agreements budgetary principles and procedures State aid rules effect of Union law in national legal systems coexistence of EU European Convention of Human Rights ECHR and national fundamental rights law migration and asylum law liability of Member States for damage suffered by individuals competition law cartels abuse of dominant position merger control social policy equal pay and equal treatment environmental policy consumer protection public health cultural policy education and tourism nature of EU citizenship its acquisition and loss and law and policy of the EU s external relations The fifth edition embraces many new ongoing and emerging European legal issues As in the previous editions the presentation is notable for its attention to how the law relates to economic and political realities and how the various policy areas interact with each other and with the institutional framework The many practitioners and scholars who have relied on the predecessors of this definitive work for years will welcome this extensively revised and updated edition Those coming to the field for the first time will instantly recognize that they are in the presence of a masterwork that can always be turned to with profit and that helps in understanding the rationale underlying any EU law provision or principle

National Procedural Autonomy Revisited Franziska Grashof, 2016 National Procedural Autonomy Revisited reconsiders one of the leading principles of European administrative law the principle of national procedural autonomy The book shows that due to different national administrative litigation rules common European rules are enforced in a fragmented manner This is illustrated with

the example of the judicial enforcement of Directive 2011/92/EU on environmental impact assessment for projects in the legal systems of Germany, England and the Netherlands. Under the same rule of EU law, litigants are treated procedurally unequal. As well, there are different enforcement chances and judges come to different conclusions not because of diverging interpretations of the law but because of different administrative litigation rules. Subsequently, the book discusses whether it is necessary, desirable and possible to develop common rules of administrative litigation in environmental matters in the EU. It is argued that by means of the instruments which are available in the EU specifically legislation, jurisprudence and comparative scholarship, a more precise common standard for administrative litigation in environmental matters should be created so that the principle is *ubi ius europaeum ibi remedium europaeum*. Librarians ebook available. Series: European Administrative Law Vol 10 Subject: EU Law Environmental Law

Shaping EU Law the British Way Graham Butler, Adam Lazowski, 2022-11-17. In this book, leading scholars of EU law judges and practitioners unpack the judicial reasoning offered by the UK Advocates General in over forty cases at the Court of Justice which have influenced the shape of EU law. The authors place the Opinions in the wider context of the EU legal order and mix praise with critique in order to determine the true contribution of the UK Advocates General before hearing the concluding reflections by the UK Advocates General themselves. The role of Advocates General at the Court of Justice of the European Union remains notoriously under researched. With a few notable exceptions, not much ink has been spilled on analysing their contribution to the judicial discourse that emerges from the Court's Palais in Luxembourg. More generally, their impact on the shaping of EU law is only sporadically explored. This book fills the lacunae by offering an in-depth analysis of the way in which the UK Advocates General contributed to development of EU law during 47 years of the UK's membership of the EU. During their terms of office, Advocates General Jean-Pierre Warner (1973-1981), Gordon Slynn (1981-1988), Francis Jacobs (1988-2006) and Eleanor Sharpston (2006-2020) delivered over 1400 Opinions. This staggering contribution of the four individuals and their cabinets of legal secretaries was supplemented by an Opinion of a then Judge of the Court of First Instance, David Edward, who was called to act as an Advocate General in two joined cases in what is now the General Court. With the last UK Advocate General departing from the Court of Justice in September 2020, an important era has ended. With this watershed moment, it is apt to take a look back and critically analyse the contribution to development of EU law made by the UK Advocates General and to elucidate the lasting impact they have had on the nature of EU law.

Principles of Administrative Procedure in EC Law Hanns Peter Nehl, 1999. Recoge 1. Introduction 2. Procedural good administration in EC law 3. Expansion access to information and the right to be heard 4. Expansion The principle of care diligence 5. Conclusion

Report on the National Preventive Mechanism Advisory Visit to Ecuador Made by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman Or Degrading Treatment Or Punishment United Nations. Office of the High Commissioner for Human Rights, 2015

The Evolution of EU Law Paul P. Craig, Gráinne De Búrca, 1999. The European Community has been in

existence for 40 years This period has seen considerable change and development in both the institutional and the substantive law of the EC and more recently the EU This work seeks to stand back from the ever growing detail of Community law and examine this jurisprudence from an evolutionary and interdisciplinary perspective Every important area of institutional and substantive European law is covered leading lawyers analyze the evolution of their area of expertise across time bringing out the major thematic changes which have occurred These changes are then viewed against the broader political and economic background of the community as a whole *Procedural Law of the European Union*

Koenraad Lenaerts,Dirk Arts,Robert Bray,1999 Recoge 1 The judicial organisation of the European Union 2 Enforcement of community law 3 protection against acts of the institutions 4 Special forms of procedure **Current Law Index** ,2005

Public Policy and Administration in the Soviet Union Gordon B. Smith,1980 *PAIS Bulletin* ,1990 *Current Index to Journals in Education* ,1994 **The European Union** A. M. El-Agraa,2004 The expertise of nineteen recognised authorities has been brought together in this cohesive text which has been skilfully edited to offer a complete guide to the economics and policies of the EU The bookAs logical structure makes navigation through the background theory and impact of EU integration easy and chapters include extensive coverage of all major recent developments such as the ratification of the Nice Treaty and the Future Convention Key features Presents the reader with a comprehensive introduction and background to the economics and policies of the EU Covers the theory measurement and analysis of policies for economic integration Assesses the benefits and problems of international economic integration Covers of all major EU policies Analyses the expected further enlargement of the EU and its future developments New to this edition A full chapter on the operation of the euro Two new chapters on the EMU and the euro The Convention for the Future of Europe and the ratification of the Nice Treaty are covered throughout the text The European Union is designed for readers from all disciplines studying the EU its economics and policies and the effects of economic integration Its wealth of information detail and analysis has ensured that previous editions have been read by students researchers and professional policymakers alike The editor and author Ali M El Agraa is Professor of International Economics at Fukuoka University Japan He was Senior Lecturer in Economics at the University of Leeds UK until 1988 and has held several Visiting Professorships including posts at Vanderbilt University USA and the International University of Japan He has been a Senior International Consultant on Regional Integration for the UN and a lifetime consultant for the Anglo Japanese Economic Institute in London Contributors to the seventh edition are Brian Ardy Harvey W Armstrong Iain Begg Juha Kilponen Marius Brulhart Kenneth Button Damian Chalmers Doreen Collins Victoria Curzon Price Nigel Grimwade Ulrich Koester Alan Marian Stephen Martin David G Mayes Alan Matthews Ella Ritchie Robert Salais and Wolf Sauter **Index to Legal Periodicals & Books** ,2005 *Eastern Africa Law Review* ,1975

Quarterly Bibliography of Computers and Data Processing ,1976 **International Law: International judicial law** Georg Schwarzenberger,1957 Selected Acquisitions of the Library Indiana University, Bloomington. Law Library,1992

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